

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ELADIO CRUZ,	§
	§ No. 564, 2015
Plaintiff Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware
THE HONORABLE JAN R. JURDEN,	§
	§ C.A. No. N15C-09-124
Defendant Below-	§
Appellee.	§

Submitted: January 8, 2016
Decided: February 19, 2016

Before **STRINE**, Chief Justice; **HOLLAND**, and **SEITZ**, Justices

ORDER

This 19th day of February 2016, it appears that the appellant Eladio Cruz filed this appeal from a Superior Court order dated September 15, 2015, dismissing his complaint. Cruz, a convicted felon serving a life sentence plus a term of 58 years,¹ filed his complaint seeking \$100,000 in damages from the President Judge of the Superior Court because the Superior Court had “misled” him into believing that he was eligible for parole. This Court previously affirmed the Superior Court’s denial of Cruz’s motion to correct his sentence to have a parole eligibility

¹ See *Cruz v. State*, 1993 WL 227080 (Del. June 4, 1993) (affirming convictions on direct appeal).

date set.² His claim, therefore, is barred by the law of the case.³ Moreover, the President Judge of the Superior Court enjoys absolute immunity from suit in this case.⁴

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Leo E. Strine, Jr.

Chief Justice

² *Cruz v. State*, 2015 WL 4510713 (Del. July 21, 2015).

³ *Insurance Corp. of Am v. Barker*, 628 A.2d 38, 40 (Del. 1993).

⁴ 10 *Del. C.* § 4001.